

JAN 22 2002  
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

Applicants: Jennifer L. Schmitke, Donghao Chen, Richard P. Batycky, David A. Edwards and Jeffrey S. Hrkach

Application No.: 09/888,126 Group: 1619

Filed: June 22, 2001 Examiner: Not Assigned

For: PARTICLES FOR INHALATION HAVING RAPID RELEASE PROPERTIES

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

on 12-18-01



Date

Signature

**HOLLIE WAKEFIELD**

Typed or printed name of person signing certificate

**REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated July 18, 2001, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

**EXECUTED DECLARATION/POWER OF ATTORNEY**

*(Separate transmittal letter and postcard not required)*

**FILING FEE - with Fee Transmittal for Patent Applications in duplicate.**

*(Separate transmittal letter and postcard not required)*

920.00 00

**SURCHARGE - surcharge fee of \$130.00.**

*(Separate transmittal letter and postcard not required)*

**SEQUENCE LISTING - Filed concurrently and is attached.**

*(Separate transmittal letter and postcard required)*

01/25/2002 SFILEN#1 00000079 09888126

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JAN 2 2002  
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U.S. DEPARTMENT OF COMMERCE **TRANSMITTAL OF SUBSTITUTE DRAWINGS**

Sheets of substitute drawings consisting of Figs. 1 - [ ] are enclosed.  
(Separate transmittal letter and postcard not required)

 **PETITION FOR EXTENSION OF TIME**

Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated July 18, 2001 for three-months from September 18, 2001 to December 18, 2001. The appropriate fee of \$920.00 is included in the enclosed check.

A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee.

Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

 **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

 **STATEMENT CLAIMING SMALL ENTITY STATUS**

Was filed on [ ].

Is enclosed herewith.

(Separate transmittal letter and postcard not required)

In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of **\$1,050.00**. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anne I. Craig  
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*AC*  
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*SCA 10-5*  
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ORIGINALLY FILED**

## **ANNOUNCEMENT**

Please note that Hamilton, Brook, Smith & Reynolds, P.C.,  
has relocated.

Effective immediately, our new postal address and contact  
numbers are as follows:

**Hamilton, Brook, Smith & Reynolds, P.C.**  
530 Virginia Road  
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UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 22 2002

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/888,126	06/22/2001	Richard P. Batycky	2685.2030-000

CONFIRMATION NO. 9053

FORMALITIES LETTER

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\*OC000000006312731\*

Date Mailed: 07/18/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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